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Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Stephen D. Goble, et al.

Serial No. : 10/528,304 Case No.: 21030P Art Unit: 1625

Filed : March 17, 2005

For : HETEROARYLPIPERIDINE MODULATORS OF CHEMOKINE RECEPTOR ACTIVITY

Examiner: David K. O Dell

Commissioner for Patents  
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated November 29, 2007, the following elections are made:

- Group I, drawn to compounds and compositions of Formula I, where R<sup>2</sup> is benzyl, R<sup>1</sup> is alkyl (unsubstituted or substituted with -OH), and n is 1, is elected, with traverse, as explained below.
- The compound shown as Example 1 is elected in response to the requirement for an Election of Species.

The Restriction Requirement is traversed with respect to the limitation that R<sup>1</sup> in Group I is limited to alkyl that is unsubstituted or substituted with -OH. Other alkyl groups, such as -CF<sub>3</sub>, for example, would fall into Group II, which is defined as everything having Formula I that is not in Group I. Such a distinction does not fit within the definition of restricted inventions. R<sup>1</sup> should be alkyl, without further limitation.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

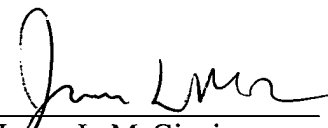
By John R. Rye Date 12-21-2007

The claims that encompass the elected invention are Claims 1-18.

Claims 19-22, which are currently in non-elected Group III, are dependent on Claim 1 and therefore are eligible for rejoinder after Claim 1 is determined to be allowable.

If the Examiner wishes to discuss any matter with respect to this application, he is invited to telephone the undersigned attorney at the telephone number below.

Respectfully submitted,

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